

Texas Board of Occupational Therapy Examiners
BOARD MEETING MINUTES
Videoconference Call
February 3, 2023
1801 Congress Ave Ste 10.900
Austin, TX 78701
8:30 AM

Members Present: Jacob Boggus, Public Member
Blanca Cardenas, Public Member
Jennifer Clark, COTA
Karen Gardner, OTR, Secretary
Eddie Jessie, Public Member
Stephanie Johnston, OTR, OTD, FAOTA, Chair
Sally Harris King, COTA
Todd Novosad, OTR, Vice Chair

Members Absent: Estrella Barrera, OTR, MOT

Counsel Present: Rosalind Hunt, Assistant Attorney General

Staff Present: Amy Carter, Director of Enforcement
Randall Glines, Staff Services Officer
Ralph Harper, Executive Director
Don Meshell, Investigator
Priscilla Sendero, Investigator
Lea Weiss, OT Coordinator
Cynthia Welch, Investigator

The Texas Board of Occupational Therapy Examiners may discuss and/or take action on any of the following agenda items. The Board may go into executive session on any agenda item listed below as authorized by the Open Meetings Act, Texas Government Code Chapter 551.

1. Call to Order

The meeting was called to order at 8:35 AM by Stephanie Johnston, Presiding Officer, who was physically present at the location of the meeting open to the public. She called the roll and announced that a quorum existed.

2. Excusing Board Member absences

Motion: To approve the excuse of Estrella Barrera for her absence at the meeting

Made by: Jennifer Clark

Second by: Jacob Boggus

Motion passed.

3. Public Comment

Judith Joseph, Executive Director of the Texas Occupational Therapy Association (TOTA), provided public comment concerning HB 1683, relating to the Occupational Therapy Licensure Compact.

4. Minutes of October 28, 2022

Motion: To approve the minutes

Made by: Karen Gardner

Second by: Sally Harris King

Motion passed.

5. Executive Director's Report concerning fiscal and budgetary matters, performance measures, ongoing projects, agency personnel matters, Executive Council activity, recent and current legislative sessions, and other agency business

Ralph Harper briefed the Board on fiscal and budgetary matters, performance measures, agency personnel matters, Executive Council activity, and the current legislative session. Ralph Harper also noted updates regarding the agency's Continuity of Operations Plan (COOP) and regarding the recent relocation of the agency, along with other state agencies formerly located in the William P. Hobby building, to a new capital area complex in Austin.

6. Investigation Committee Report concerning:

A. Agreed Orders for case #s: 22-222, 22-273, 22-275, 22-279, 22-285, 22-287, 22-300, 22-302, 22-313, 22-318, 22-319, 22-321, 22-322, 22-326, 22-327, 22-328, 22-334, 22-336, 22-339, 22-341, 23-015, 23-022, 23-025, 23-033, 23-036, 23-046, 23-052, 23-053, and 23-080

Amy Carter presented motions from the Investigation Committee to approve agreed orders for the following case numbers: 23-080, 22-302, 22-318, 22-319, 22-322, 22-326, 22-327, 22-321, 23-053, 22-341, 23-022, 22-287, 22-328, 22-336, 23-033, 23-046, 22-273, 22-275, and 22-222.

The Board approved the agreed orders.

Agreed orders for the remaining cases were not presented to the Board.

Eddie Jessie joined the meeting during the agenda item.

B. Number of cases reviewed, Agreed Orders issued, informal conferences, and other investigative matters discussed during the Investigation Committee Meeting of December 8, 2022

Amy Carter reported that one-hundred seven cases were reviewed by the Investigation Committee at the December 8, 2022, meeting. Twenty-eight orders were issued by the Investigation Committee, nineteen of which were accepted. Two informal conferences were held.

C. Performance measures, on-site investigation visits, school presentations, and other investigative activities that have occurred between this meeting and the Board's last meeting

Amy Carter reported on performance measures, on-site investigation visits, school presentations, and other investigative activities that have occurred between this meeting and the Board's last meeting.

7. Education Committee report concerning continuing education requirements, including changes to continuing education requirements in 40 Texas Administrative Code (TAC) Chapter 367, Continuing Education, including with regard to the following:

- A. The definition of continuing education**
- B. Acceptable and unacceptable continuing education activities**
- C. Categories of continuing education activities**
- D. Continuing education documentation**

The Education Committee meeting scheduled for the prior day was cancelled due to inclement weather.

Todd Novosad noted that he anticipated that the committee meeting would be rescheduled for a date to be determined.

8. OT Coordinator's Report, concerning developments in the field of occupational therapy and updates regarding regulatory matters in occupational therapy, including Board licensing, CE audit, and entry-level occupational therapy accreditation statistics and updates; recent and developing legislation; and trends and developments in occupational therapy regulations

Lea Weiss reported on Board licensing, CE audit, entry-level occupational therapy accreditation statistics and updates, and bills filed in Texas during the current legislative session.

9. Presiding Officer's Report, concerning developments in the field of occupational therapy and updates regarding regulatory matters in occupational therapy, including trends and developments in occupational therapy regulations, practice, standards, and guidelines; Board and committee appointment updates; and regulatory conferences and events

Stephanie Johnston addressed board appointment updates and noted the upcoming conference of the American Occupational Therapy Association.

10. Future Board meeting dates and agenda items for future consideration

Stephanie Johnston noted that board meetings had been scheduled for May 5, 2023; August 4, 2023; October 27, 2023; and February 2, 2024, with possible committee meetings to be held May 4 and 5, 2023; August 3 and 4, 2023; October 26 and 27, 2023; and February 1 and 2, 2024.

11. Adjournment

The Board adjourned at 9:18 AM.

Minutes approved on: May 5, 2023